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March 7, 2022

Honorable Colleen McMahon
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

In re: Namenda Indirect Purchaser Antitrust Litigation,
C.A. 15-cv-06549-CL-RHL

Dear Judge McMahon,

I write on behalf of Plaintiff and Class counsel to request that the Court set a trial date for this matter.

On December 20, 2021, by Memo Endorsement you indicated "[w]e did not get assigned a trial date for the first quarter, 2022. ECF 837. As we have recently informed the Court in the Settlement Status Report (ECF: 841), there is agreement to mediate this case before Judge Faith Hochberg (retired) on March 29, 2022. Because of her schedule, we will mediate for one day. While we remain cautiously optimistic that there might be resolution, we are also clear eyed that often mediations are unsuccessful or are extended. We are also of the belief that the mediation process would be assisted by the setting of a firm trial date. In order to arrange schedules for all counsel, experts, and other witnesses in the event that mediation is not successful on March 29th, we request an order for trial to commence on a date certain during September 2022.

Respectfully submitted,

Marvin A. Miller

Marvin A. Miller

And on behalf of Plaintiff and Class' Counsel

MAM:at

cc: Counsel of Record by ECF

Colleen McMahon

*3/10/2022
I cannot give you an order
for a date certain for trial in
September, because the court
has not yet returned to court
allowing judge to comment
to date certain - anyone
who is handling out "date
certain" is only making
a best guess.
I will
you
is
Q4
September, or in September.
if we don't get September
assigned I am able to
assign date certain.*

*rest assured
you will get one
right behind
my friend.*

*Let's understand
to put in for a
trial date
is
Q4
September, or in September.
if we don't get September
assigned I am able to
assign date certain.*